IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Attorney's Docket: <u>0125-0016D1</u>

Prior Application:

Art Unit: <u>1631</u>

Examiner: <u>Y. Kim</u>

SIR: This is a request for filing a

[ ] Continuation [✓] Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. <u>09/390,326</u> filed <u>September 7, 1999</u> of <u>McTigue, et al.</u> for <u>Modifications of the VEGF Receptor-2 Protein and Methods of Use</u>

1. [✓] Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. <u>09/390,326</u> as originally filed on <u>September 7, 1999</u>.

2. [✓] Cancel Claims <u>1-16</u>.

3. [✓] A Preliminary Amendment is enclosed.

4. [✓] The filing fee is calculated on the basis of the claims existing in the prior application as amended at 2 and 3 above.

For	Number Filed	Number Extra	Rate	Basic Fee $710.00
Total Claims:	2	-20= 0	x$ 18.00=	$0
Independent Claims:	2	-3= 0	x$ 80.00=	$0
Multiple Dependent Claim(s) (if applicable)			+$270.00=	
			Total =	$710.00
		Reduction by ½ for filing by small entity:		
		TOTAL FILING FEE	=:	$710.00

5. [✓] A check in the amount of $710.00 to cover the filing fee is enclosed.

6. [✓] The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 50-0622.

7. [✓] Amend the specification by inserting before the first line, the sentence:

   --This is a [ ] continuation [✓] division of application Serial No. 09/390,326, filed September 7, 1999 which is based upon application Serial No. 60/009,503, filed September 8, 1998--
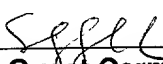
8. [ ] New formal drawings are enclosed.

9. [✓] The prior application is assigned of record to: Agouron Pharamceuticals, Inc.

10. [ ] Priority of application Serial No. _____, filed on _____ in _____ (country) is claimed under 35 U.S.C. § 119. A certified copy

    [ ] is enclosed or [ ] is on file in the prior application.

11. [ ] A verified statement claiming small entity status

    [ ] is enclosed or [ ] is on file in the prior application.

12. [ ] The power of attorney in the prior application is to at least one of the following:

13. [✓] The power appears in the original declaration of the prior application.

14. [ ] Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

15. [✓] Please address all correspondence to SHANKS & HERBERT, TransPotomac Plaza, 1033 N. Fairfax St., Suite 306, Alexandria, VA 22314. _____

16. [✓] Recognize as associate attorney: Mark R. Shanks, Registration No. 33,781; Toni-Junell Herbert, Registration No. 34,348; Joseph Contrera, Registration No. 44,628; Christina Gadiano, Registration No. 37,628; Shelly Guest Cermak, Registration No. 39,571 of SHANKS & HERBERT; Linda Evans, Registration No. 33,873; Aubrey Haddach, Registration No. P-48,374; Ron Myers, Registration No. 43,825; Karl Neidert, Registration No. 39,313; Robert Prince, Registration No. 38,583; Joseph Reidy, Registration No. 39,390; Keith Hutchinson, Registration No. 43,687; and Jeffery Rennecker, Registration No. 40,784, of AGOURON PHARMACEUTICALS, INC. _____

[ ]   Also enclosed is _____

_____

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 50-0622. A duplicate copy of this paper is enclosed for use in charging the deposit account.

Respectfully submitted,

SHANKS & HERBERT

Shelly Guest Cermak
Reg. No.: 39,571

Date: August 28, 2001

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